

Message Text

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46

ACTION L-02

INFO OCT-01 EA-06 ISO-00 SS-15 NSC-05 JUSE-00 SCA-01 VO-03

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FM AMEMBASSY MANILA

TO SECSTATE WASHDC 5223

C O N F I D E N T I A L MANILA 9308

E.O. 11652: GDS

TAGS: PINT, PFOR, RP, US

SUBJECT: LECHOCO CASE

REF: MANILA 8878

1. DAILY EXPRESS JULY 8 CARRIED FRONT-PAGE ARTICLE BYLINED BY C.F. MAKABENTA REPORTING THAT DIPLOMATS ASSIGNED TO US WERE CLOSELY WATCHING DEVELOPMENTS IN "PRECEDENT SETTING LECHOCO CASE". ARTICLE NOTES THAT CASE IS FIRST TO BE TRIED UNDER NEW US FEDERAL LAW WHICH IMPOSES STIFF PENALTY ON OFFENSES AGAINST FOREIGN GOVERNMENT REPRESENTATIVES. DIPLOMATIC INTEREST HAS BEEN FOCUSED ON LECHOCO CASE BECAUSE OF ITS POSSIBLE DETERRENT EFFECT ON WOULD-BE VIOLATORS OF SPECIAL LAW, PARTICULARLY POLITICAL TERRORISTS. "DIPLOMATIC OBSERVERS FEEL THAT THE OUTCOME OF THE LECHOCO CASE WILL HAVE A STRONG INFLUENCE ON WOULD-BE OFFENDERS AGAINST REPRESENTATIVES OF FOREIGN GOVERNMENTS IN THE US." MAKABENTA REPORTS THAT IF LECHOCO IS DEALT WITH SEVERELY UNDER NEW LAW, POLITICAL TERRORISTS WILL THINK TWICE BEFORE ABDUCTING FOREIGN OFFICIALS, WHILE IF HE GETS OFF EASY THE SPECIAL LAW WILL BE VIEWED AS "HAVING NO TEETH AFTER ALL".

2. ARTICLE APPEAARS TO HAVE BEEN WRITTEN SOME TIME AGO SINCE IT INDICATES JURY MUST STILL DETERMINE WHETHER LECHOCO IS ACCOUNTABLE FOR HIS ACTIONS OF LAST NOV 18.

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IT STATES LECHOCO COULD BE GIVEN A 20-YEAR PRISON TERM

OR PLACED ON PROBATION. ARTICLE CONCLUDES WITH STATEMENT THAT US GOVERNMENT COULD ORDER DEPORTATION OF LECHOCO TO PHILIPPINES AND "IN SUCH EVENT, THE PHILIPPINE GOVERNMENT WILL HAVE NO CHOICE BUT TO TAKE HIM BACK".

3. COMMENT: FACT THAT OLD STORY SURFACED IN EXPRESS AT THIS PARTICULAR TIME AND EMPHASIS ON LECHOCO BEING "TEST CASE" OF US SERIOUSNESS IN APPLYING LAW AIMED AT PROTECTION OF FOREIGN DIPLOMATS SUGGEST JUDGMENT IN REFTEL STILL VALID, I.E., GOP WANTS NO PART OF LECHOCO AND IS HOPING US EITHER (A) IMPRISONS HIM OR (B) AT MINIMUM PUTS HIM ON PROBATION BUT IN U.S. PURNELL

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